

# HOUSE BILL 59

N1  
HB 271/25 – JUD

(PRE-FILED)

6lr0777  
CF 6lr0778

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By: **Delegate Addison**

Requested: September 3, 2025

Introduced and read first time: January 14, 2026

Assigned to: Economic Matters and Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Expedited Wrongful Detainer Proceedings – Property for Sale**  
3 **or Lease**

4 FOR the purpose of requiring certain expedited proceedings in a wrongful detainer action  
5 if the property that is the subject of the action is, at the time of the complaint,  
6 advertised or listed for sale or lease by the complainant and requiring that notice of  
7 a hearing or appeal be served in person or, under certain circumstances, posted  
8 conspicuously on the property; requiring the District Court or the circuit court to  
9 issue a warrant within a certain number of hours if the court rules in favor of the  
10 complainant in an expedited wrongful detainer action; and generally relating to a  
11 wrongful detainer action for possession of real property.

12 BY repealing and reenacting, with amendments,

13 Article – Real Property

14 Section 14–132

15 Annotated Code of Maryland

16 (2023 Replacement Volume and 2025 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Real Property**

20 14–132.

21 (a) In this section, “wrongful detainer” means to hold possession of real property  
22 without the right of possession.

23 (b) This section does not apply if:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(1) The person in actual possession of the property has been granted possession under a court order;

3 (2) A remedy is available under Title 8 of this article; or

4 (3) Any other exclusive means to recover possession is provided by statute  
5 or rule.

6 (c) A person may not hold possession of property unless the person is entitled to  
7 possession of the property under the law.

15 (ii) [A] EXCEPT AS PROVIDED IN SUBSECTION (J) OF THIS  
16 SECTION, A hearing scheduled under subparagraph (i) of this paragraph shall be held not  
17 more than 10 business days after the complaint is filed under paragraph (1) of this  
18 subsection.

22 (i) File an affidavit with the court describing the good faith efforts  
23 to serve the person in actual possession;

24 (ii) Mail a copy of the complaint by certified mail, return receipt  
25 requested, and first-class mail to the last known address of the person in actual possession  
26 and, if different, to the address of the residential property subject to the complaint; and

27 (iii) Affix an attested copy of the summons conspicuously on the  
28 property.

29 (4) If notice of the summons is sent to the person in possession in  
30 accordance with paragraph (3) of this subsection, the notice shall constitute sufficient  
31 service to support restitution of possession.

32 (5) Service shall be made under paragraphs (3) and (4) of this subsection  
33 within 4 business days after the complaint is filed under paragraph (1) of this subsection.

34 (e) A counterclaim or cross-claim may not be filed in an action brought under this

1 section.

2 (f) (1) If the court determines that the complainant is legally entitled to  
3 possession, the court shall:

4 (i) Give judgment for restitution of the possession of the property to  
5 the complainant; and

6 (ii) Issue its warrant to the sheriff or constable commanding the  
7 sheriff or constable to deliver possession to the complainant.

8 (2) The court may also give judgment in favor of the complainant for  
9 damages due to the wrongful detainer and for court costs and attorney fees if:

10 (i) The complainant claimed damages in the complaint; and

11 (ii) The court finds that:

12 1. The person in actual possession was personally served  
13 with the summons; or

14 2. There was service of process or submission to the  
15 jurisdiction of the court as would support a judgment in contract or tort.

16 (3) A person in actual possession who is not personally served with a  
17 summons is not subject to the personal jurisdiction of the District Court if the person  
18 appears in response to the summons and prior to the time that evidence is taken by the  
19 court and asserts that the appearance is only for the purpose of defending an in rem action.

20 (g) Subject to § 8-118.1 of this article, a party to a wrongful detainer action  
21 brought in the District Court under this section may demand a trial by jury in accordance  
22 with Title 8, Subtitle 6 of this article.

23 (h) (1) Not later than 10 days from the entry of the judgment of the District  
24 Court, either party may appeal to the circuit court for the county in which the property is  
25 located.

26 (2) The person in actual possession of the property may retain possession  
27 until the determination of the appeal if the person:

28 (i) Files with the court an affidavit that the appeal is not taken for  
29 delay; and

30 (ii) 1. Files sufficient bond with one or more securities  
31 conditioned on diligent prosecution of the appeal; or

32 2. Pays to the complainant or into the appellate court:

3 B. All court costs in the case;

4 C. All losses or damages other than the fair rental value of  
5 the property up to the day of judgment that the court determined to be due because of the  
6 detention of possession; and

7 D. The fair rental value of the property during the pendency  
8 of the appeal.

9 (3) On application of either party, the court shall set a hearing date for the  
10 appeal that is not less than 5 days or more than 15 days after the application for appeal.

11 (4) Notice of the order for a hearing shall be served on the parties or the  
12 parties' counsels not less than 5 days before the hearing.

16 (J) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, IF THE  
17 PROPERTY THAT IS THE SUBJECT OF A COMPLAINT UNDER THIS SECTION IS, AT THE  
18 TIME OF THE COMPLAINT, ADVERTISED FOR SALE OR LEASE OR LISTED FOR SALE  
19 OR LEASE ON A LOCAL MULTIPLE LISTING SERVICE, WRONGFUL DETAINER  
20 PROCEEDINGS UNDER THIS SECTION SHALL BE EXPEDITED AS FOLLOWS:

28 (2) THE DISTRICT COURT SHALL ISSUE A RULING ON THE  
29 COMPLAINT WITHIN 2 BUSINESS DAYS AFTER THE HEARING:

6 (III) THE JUDGMENT OF THE CIRCUIT COURT SHALL BE ISSUED  
7 WITHIN 2 BUSINESS DAYS AFTER THE APPEAL HAS BEEN HEARD; AND

10 (I) A WARRANT SHALL BE ISSUED BY THE COURT TO THE  
11 SHERIFF WITHIN 24 HOURS AFTER THE RULING; AND

12 (II) THE SHERIFF SHALL PROCEED IMMEDIATELY TO EXECUTE  
13 THE WARRANT.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2026.